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General and complete disarmament: preventing the acquisition by terrorists of radioactive materials and sources

Bulgaria, Croatia, Czech Republic, Denmark, France, Germany, Italy, Monaco, Montenegro, Paraguay, Portugal, Romania, Russian Federation, Serbia, Slovakia, Spain, Switzerland and United States of America: draft resolution

Preventing the acquisition by terrorists of radioactive sources

The General Assembly,

Recognizing the essential contribution of radioactive materials and sources to social and economic development, and the benefits drawn from their use for all States,

Recognizing also the determination of the international community to combat terrorism, as evident in relevant General Assembly and Security Council resolutions,

Deeply concerned by the threat of terrorism and the risk that terrorists may acquire, traffic in or use radioactive materials or sources in radiological dispersion devices,

Deeply concerned also by the potential threat to human health and the environment that would result from the use of such devices by terrorists,

Recalling the importance of international conventions aimed at preventing and suppressing such a risk, in particular the International Convention for the Suppression of Acts of Nuclear Terrorism, adopted on 13 April 2005,[1] and the Convention on the Physical Protection of Nuclear Material, adopted on 26 October 1979,[2] as well as its Amendment, adopted on 8 July 2005,[3]

Noting the entry into force on 28 July 2010 of the 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime

[1] Resolution 59/290, annex.
[2] United Nations, *Treaty Series*, vol. 1456, No. 24631.
[3] Adopted on 8 July 2005 by the Conference to Consider Proposed Amendments to the Convention on the Physical Protection of Nuclear Material.

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Navigation which, inter alia, aims at preventing and suppressing terrorist acts using radioactive materials against or on ships,

Noting also that actions of the international community to combat the proliferation of weapons of mass destruction and prevent access by non-State actors to weapons of mass destruction and related material, notably Security Council resolution 1540 (2004) of 28 April 2004, constitute contributions to the protection against nuclear and radiological terrorism,

Stressing the importance of the role of the International Atomic Energy Agency in promoting and reinforcing the safety and security of radioactive materials and sources, in particular by supporting the improvement of national legal and regulatory infrastructure and by establishing technical guidance,

Stressing also the contribution of the International Atomic Energy Agency in preventing illicit trafficking of radioactive materials and identifying vulnerabilities in security systems through, inter alia, the Illicit Trafficking Database and its work in the field of nuclear forensics,

Taking note of the importance of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management[4] with respect to the safety of the end of life of radioactive sources,

Taking note also of the importance of the Code of Conduct on the Safety and Security of Radioactive Sources[5] and of the guidance on the import and export of radioactive sources as valuable instruments for enhancing the safety and security of radioactive sources, while recognizing that the Code is not a legally binding instrument, and of the International Atomic Energy Agency Revised Action Plan for the Safety and Security of Radioactive Sources[6] and its Nuclear Security Plan for 2010-2013,[7] and of the voluntary contributions of Member States to the International Atomic Energy Agency Nuclear Security Fund,

Encouraging Member States to make voluntary contributions to the International Atomic Energy Agency Nuclear Security Fund,

Taking note of resolutions GC(54)/RES/7 and GC(54)/RES/8, adopted by the General Conference of the International Atomic Energy Agency at its fifty-fourth regular session, which address measures to strengthen international cooperation in nuclear, radiation, transport and waste safety and measures to protect against nuclear and radiological terrorism,[8] and of the International Atomic Energy Agency Nuclear Security Plan for 2010-2013,

Welcoming the ongoing individual and collective efforts of Member States to take into account in their deliberations the dangers posed by the lack or insufficiency of control over radioactive materials and sources, and recognizing the need for States to take more effective measures to strengthen those controls in

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[4] United Nations, *Treaty Series*, vol. 2153, No. 37605.

[5] International Atomic Energy Agency, *Code of Conduct on the Safety and Security of Radioactive Sources* (IAEA/CODEOC/2004).

[6] GOV/2001/29-GC(45)/12, attachment.

[7] See GC(53)/18.

[8] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Fifty-fourth Regular Session, 20-24 September 2010* (GC(54)/RES/DEC(2010)).

accordance with their national legal authorities and legislation and consistent with international law,

Welcoming also the fact that Member States have taken multilateral actions to address this issue, as reflected in General Assembly resolution 61/8 of 30 October 2006,

Noting the various international efforts and partnerships to enhance nuclear security and to implement measures contributing to nuclear material security in relation to the security of radioactive substances, and encouraging the efforts to secure those materials,

Mindful of the responsibilities of every Member State, in accordance with international obligations, to maintain effective nuclear safety and security, asserting that responsibility for nuclear security within a State rests entirely with that State, and noting the important contribution of international cooperation in supporting the efforts of States to fulfil their responsibilities,

Mindful also of the urgent need to address, within the United Nations framework and through international cooperation, the rising concern for international security,

Recalling that it is in the best interest of all States that the transportation of radioactive materials and sources continues to be conducted consistent with international safety, security and environmental protection standards and guidelines,

1. *Calls upon* Member States to support international efforts to prevent the acquisition and use by terrorists of radioactive materials and sources, and, if necessary, suppress such acts, in accordance with their national legal authorities and legislation and consistent with international law;

2. *Urges* Member States to take and strengthen national measures, as appropriate, to prevent the acquisition and use by terrorists of radioactive materials and sources, as well as terrorist attacks on nuclear plants and facilities which would result in radioactive releases, and, if necessary, to suppress such acts, in particular by taking effective measures to account for, secure and physically protect such facilities, materials and sources in accordance with their international obligations;

3. *Encourages* Member States to enhance their national capacities with appropriate means of detection and related architecture or systems, including through international cooperation and assistance in conformity with international law and regulations, with a view to reflecting and preventing the illicit trafficking of radioactive materials and sources;

4. *Invites* all Member States that have not yet done so to sign and ratify the International Convention for the Suppression of Acts of Nuclear Terrorism,[1] as soon as possible, in accordance with their legal and constitutional processes;

5. *Invites* Member States, in particular those producing and distributing radioactive sources, to support and endorse the efforts of the International Atomic Energy Agency to enhance the safety and security of radioactive sources, as described in General Conference resolution GC(54)/RES/8 and to enhance the security of radioactive sources as described in the Agency's Nuclear Security Plan for 2010-2013, urges all States to work towards following the guidance contained in the Agency's Code of Conduct on the Safety and Security of Radioactive Sources,[5]

including, as appropriate, the guidance on the import and export of radioactive sources, noting that the guidance is supplementary to the Code, and encourages Member States to notify the Director General of the Agency of their intention to do so pursuant to General Conference resolution GC(54)/RES/7;[9]

6. *Recognizes* the value of information exchange on national approaches to controlling radioactive sources, and takes note of the endorsement by the Board of Governors of the International Atomic Energy Agency of a proposal for a formalized process for a voluntary periodic exchange on information and lessons learned and for the evaluation of progress made by States towards implementing the provisions of the Code of Conduct on the Safety and Security of Radioactive Sources;

7. *Welcomes* the efforts undertaken by Member States, including through international cooperation under the auspices of the International Atomic Energy Agency, to search for, locate and secure unsecured and/or uncontrolled ("orphan") radioactive sources within their State jurisdiction or territory;

8. *Encourages* cooperation among and between Member States and through relevant international and, where appropriate, regional organizations aimed at strengthening national capacities in this regard;

9. Decides to include in the provisional agenda of its sixty-seventh session an item entitled "Preventing the acquisition by terrorists of radioactive sources".

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[9] Ibid., *Forty-eighth Regular Session, 20-24 September 2004* (GC(48)/RES/DEC(2004)).